

June 26, 2014

John Davis  
PO Box 10152  
Marina Del Rey, CA 90295

Dear Mr. Davis:

I am responding to the recent emails you sent to U.S. Environmental Protection Agency (EPA) Administrator McCarthy and others concerning the Santa Monica Bay National Estuary Program (NEP).

As you know, EPA is currently conducting an evaluation of the Santa Monica NEP. NEP evaluations are conducted every five years to determine whether adequate progress is being made implementing the Comprehensive Conservation and Management Plans (CCMPs) to merit continued funding under Section 320 of the Clean Water Act. The evaluations include a site visit, which, for Santa Monica Bay, was conducted on June 10 – 11, 2014. The site visit included program briefings by Santa Monica Bay Restoration Program staff and field visits to some specific sites, including Malibu Lagoon, Ballona Wetlands, a boater program demonstration, kelp forest, and green infrastructure/low impact development projects. During the field visits EPA staff also met with several key stakeholders.

In response to your concern about the evaluation process, I have reviewed the information you provided and the process that has been followed to date, and conclude that the evaluation is consistent with the NEP Program Evaluation Guidance (August 31, 2011). The evaluation is expected to be completed by August 30, 2014. EPA will provide the results in a final program evaluation letter to the Santa Monica NEP and ensure they are made available to the public.

In addition, you continue to raise concerns regarding the validity of the structure and financing of the Santa Monica NEP under Section 320 of the Clean Water Act. I understand you have discussed these concerns over the past few years with my staff, and with other organizations, including the Santa Monica Bay Restoration Commission, State Coastal Conservancy, Department of Fish & Wildlife, Los Angeles County, City of Malibu, and Santa Monica Mountains Resource Conservation District. I am reaffirming what EPA staff have stated in previous conversations and responses to your related Freedom of Information Act requests, that the Santa Monica NEP conforms with Clean Water Act Section 320.

If you have other questions, please contact Sam Ziegler, Chief of our Watersheds Section at (415) 972-3399.

Sincerely,

Jane Diamond  
Director  
Water Division